

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

14-MD-2543 (JMF)

This Document Relates To All Actions
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**APPLICATION OF PETER J. MOUGEY TO SERVE ON MDL 2543
GENERAL MOTORS LLC IGNITION LITIGATION PLAINTIFFS' EXECUTIVE
COMMITTEE**

Peter J. Mougey, shareholder at Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA, respectfully submits his application for appointment to serve on Plaintiffs' Executive Committee for General Motors LLC Ignition Switch Litigation MDL 2543, and states:

I have a related case pending in the Northern District of Florida, Kosovec, et al., v. General Motors, LLC, et al., Case No. 3:14-CV-00354-RS-ENC. I anticipate that the Kosovec action will be transferred to this MDL. My firm and I are prepared to make the commitment of resources, finances and efforts that are necessary to participate in the MDL in whatever position or capacity the Court directs. My firm has significant trial experience, including all areas of case evaluation and preparation, discovery, motion practice, alternative dispute resolution, trial and post-trial practice. I am a shareholder of Levin, Papantonio, in Pensacola, Florida, and I have been engaged in litigation matters for more than fifteen years in numerous jurisdictions. I believe I can make a significant contribution to the MDL and hope to have the opportunity to participate.

Levin, Papantonio is a leader in mass litigation on a number of levels and venues. We have more than thirty (30) full time attorneys and over 120 staff members. The firm has participated in many Multi-District proceedings over the past three decades. Our firm has been and remains active in many major cases nationally, including the following:

MDL 2433: *In re E.I. Du Pont De Nemours & Co. C-8 Personal Injury Litig.*, (Plaintiffs' Steering Comm.)

MDL: 2428: *In re Fresenius GranuFlo/Naturalyte Dialysate Prods. Liab. Litig.*, (Plaintiffs' Steering Comm.; Discovery Comm.; Science Comm.; Bellwether Comm.)

MDL 2406: *In re: Blue Cross Blue Shield Antitrust Litig.*, (Plaintiffs' Steering Comm.; Co-Chair, Class Certification Comm., State Liaison Comm.)

MDL 2385: *In re Pradaxa (Dabigatran Etexilate) Prods. Liab. Litig.*, (Plaintiffs' Executive Comm.; Science Comm.)

- MDL 2327: *In re: Ethicon, Inc. Pelvic Repair Systems Prod. Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 2326: *In re: Boston Scientific, Inc. Pelvic Repair Systems Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 2325: *In re: American Medical Systems, Inc. Pelvic Repair Sys. Prod. Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 2299: *In re: Actos (Pioglitazone) Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 2243: *In re Fosamax (Alendronate Sodium) Prods. Liab. Litig. (No. II)*, (Plaintiffs' Steering Comm.)
- MDL 2241: *In re Stryker Rejuvenate and ABG II Hip Implant Prods. Liab. Litig.*, (Plaintiffs' Lead Counsel Comm.)
- MDL 2197: *In re: DePuy Orthopaedics, Inc. ASR Hip Implant Prod. Liab. Litig.*, (Plaintiffs' Executive Comm.)
- MDL 2179: *In re: Oil Spill by the Oil Rig "Deepwater Horizon"* (Plaintiffs' Executive Comm.)
- MDL 2100: *In re Yasmin & Yaz (Drospirenone) Marketing, Sales, and Prods. Liab. Litig.*, (Plaintiffs' Steering Comm., Discovery Comm. (Co-Chair), Bellwether Trial Team)
- MDL 2047: *In re: Chinese-Manufactured Drywall Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 2016: *In re: Yamaha Motor Corp. Rhino ATV Products Liab. Litig.*, (Plaintiffs' Steering Comm.; Executive Comm.)
- MDL 1968: *In re: Digitek Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 1953: *In re Heparin Products Liab. Litig.*, (Plaintiffs' Steering Comm., Discovery Comm.)
- MDL 1928: *In re: Trasylol Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 1909: *In re: Gadolinium Contrast Dyes Product Liab. Litig.*, (Plaintiffs' Executive Comm.)
- MDL 1789: *In re: Fosamax Products Liab. Litig.*, (Lead Counsel for Plaintiffs' Steering Comm.)
- MDL 1742: *In re: Ortho Evra Products Liab. Litig.*, (Plaintiffs' Steering Comm.)
- MDL 1726: *In re: Medtronic, Inc., Implantable Defibrillators Products Liab. Litig.*, (Plaintiffs' Steering Comm.; Co-chair Discovery Comm.)
- MDL 1708: *In re: Guidant Defibrillators Products Liab. Litig.*, (Plaintiffs' Steering Comm.; Discovery Comm.; Trial Team Comm.)
- MDL 1699: *In re: Bextra and Celebrex Marketing and Sales Practices and Products Liab. Litig.*, (Plaintiffs' Steering Comm.; Disc. Comm. (co-chair); Science Comm.)

- MDL 1657: *In re: Vioxx Products Liab. Litig.*, (Plaintiffs' Steering Comm.; Co-chair Disc. Comm., Science Comm.; Lead and Co-Lead Counsel)
- MDL 1632: *In re: High Sulfur Content Gasoline Prod. Liab. Litig.* (Plaintiffs' Steering Comm.; Co-chair Trial Comm.)
- MDL 1626: *In re: Accutane Products Liab. Litig.* (Co-chair Discovery Comm.)
- MDL 1596: *In re: Zyprexa Products Liab. Litig.* (Plaintiffs' Steering Comm.)
- MDL 1535: *In re: Welding Fume Prod. Liab. Litig.* (Plaintiffs' Executive Comm.; Disc. Comm.)
- MDL 1527: *In re: Cisco Systems, Inc., Securities & Derivative Litig.* (Plaintiffs' Co-Lead Counsel)
- MDL 1412: *In re: America Online, Inc., Version 6.0 Software Litig.* (Co-Lead Counsel)
- MDL 1407: *In re: Phenylpropanolamine (PPA) Products Liab. Litig.* (Plaintiffs' Steering Comm.)
- MDL 1355: *In re: Propulsid Products Liab. Litig.* (Plaintiffs' Executive Comm.; Disc. Comm. (co-chair), Science/Expert Witness Comm.)
- MDL 1348: *In re: Rezulin Products Liab. Litig.* (Plaintiffs' Steering Comm.; Disc. Comm. (co-chair) and Science Comm.)
- MDL 1203: *In re: Diet Drugs Products Liab. Litig.* (Plaintiffs' Man. Comm.; Disc. Comm. and Science/Expert Witness Comm.)
- MDL 1003: *In re: Amtrak "Sunset Limited" Train Crash* (Liaison Counsel and Plaintiffs' Steering Comm.)
- MDL 986: *In re: Factor VIII or IX Concentrate Blood Products Litigation* (Plaintiffs' Steering Comm. and Document Depository Chair)
- MDL 926: *In re: Breast Implant Products Liab. Litig.* (Florida State Liaison Counsel)
- MDL 875: *In re: Asbestos Products Liab. Litig.* (Lead and Co-Lead Counsel)

My firm spearheaded the national tobacco litigation, which resulted in a multibillion dollar settlement that required tobacco companies to change many of their marketing practices. In addition, two of our partners continue to litigate individual cases against tobacco companies, and they have achieved multiple successful verdicts including one for \$30 million in a single case.

My professional qualifications are outlined in greater detail below, and I am available to provide additional information as required.

Occupation: Partner - Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.

Securities and Business Litigation Department, head; securities arbitration and litigation, complex commercial litigation, antitrust litigation, ERISA litigation, whistleblower/qui tam

Education:

Cumberland School of Law, Samford University, J.D. Degree
University of Portland, M.B.A.
Creighton University, B.S.B.A. Degree, Finance

Activities:

Member, Florida Bar Association (Admitted to practice on 1/26/00)
Member, Alabama Bar Association (Admitted to practice on 5/5/00)
Member, U.S. District Court, Northern District of Florida (Admitted to practice on 8/15/00)
Member, U.S. District Court, Middle District of Florida (Admitted to practice on 11/2/05)
Member, U.S. District Court, Middle District of Alabama (Admitted to practice on 9/2/05)
Member, U.S. District Court, Southern District of Alabama (Admitted to practice on 8/8/05)
Member, U.S. Court of Appeals, 1st Circuit (Admitted to practice on 3/7/08)
Member, U.S. Court of Appeals, 11th Circuit (Admitted to practice on 6/27/05)
President, PIABA Bar Association (2010 - 2011)
Member, PIABA, Board of Directors (2006 - Present)
Member, PIABA, Executive Committee (2009 – 2012)
Chairman, PIABA, NASAA Committee and Improving Arbitration Task Force, (2009-2010)
Member, Association of Trial Lawyers of America, Securities Division
Member, Association of Retarded Citizens (President 2011)
Member, ARC, Board of Directors (2004-present)
Member, ARC, Executive Committee (2006-present)
Member, United Way, Cabinet (2003 – present)
Member, Leadership Pensacola (2003)
Member, Trial Lawyers Section
Member, St. Anne Church, Board of Directors (2007- 2012)

Awards:

ARC Volunteer of the Year (2006)
Florida Trend's Florida Legal Elite (2013, 2014)
Florida Super Lawyer, Super Lawyers (2012-2014)
AV Preeminent 5.0 out of 5 Peer Review Rated, Martindale-Hubbell
Florida's Top 100 Trial Lawyers (2012 – 2014)

Presentations:

Analyst Fraud: How to Identify and Verify Claims, Association of Trial Lawyers of America, Chicago, IL, 4/21/04

Standard Deviation, Value at Risk and Monte Carlo Simulations in FINRA Arbitration, Public Investors Arbitration Bar Association Annual Meeting, Carlsbad, CA, 9/29/05

Countering Defense Strategies: Overcoming Red-herring Defenses, Public Investors Arbitration Bar Association Annual Meeting, Amelia Island, FL, 10/18/07

Financial Preferreds - Freddie, Fannie, and Others, Public Investors Arbitration Bar Association Annual Meeting, Carlsbad, CA 10/30/09

NASAA Roundtable, Public Investors Arbitration Bar Association Annual Meeting, Ponte Vedra Beach, FL, 10/14/10

Prospectus Defense, NYC Bar Association CLE, New York City Bar - New York, NY, 6/8/11

Assessing the Case: Arbitrate, Mediate or Negotiate?, PLI's Securities Arbitration 2011 Program, New, York, NY, 8/10/11

The Future of FINRA Dispute Resolution: Contraction or Growth?, PLI's Securities Arbitration 2011 Program, New York, NY, 8/10/11

ERISA Litigation: A Survey of Current Case Law, Mass Torts Made Perfect Seminar, Las Vegas, NV, 10/14/2011

A Decade of Securities Mass Torts: What We Have Learned, Mass Torts Made Perfect Seminar, Las Vegas, NV, 10/10/12

Qui Tam Litigation Update - Record Amount Recovered From Whistleblower Claims in 2012: Identifying Claims, Placing Your Cases, and Protecting Your Clients, National Association of Trial Lawyers Summit, Miami, FL, 1/27/2013

Bet The Company Litigation, American Bar Association Business Law Annual Meeting, San Francisco, CA, 8/10/13

A Comparative Discussion of Pre-Hearing Legal Issues, Strategies, and Preparation Before the Hearing: Exploring Critical Differences Among New York, California, and Texas - Evaluating the Case and Cross-Jurisdictional Considerations, Securities Law Seminar Session, Orlando, FL 10/16/13

Quantitative Analysis, Public Investors Arbitration Bar Association Annual Meeting, Orlando, FL 10/19/13

Alternative Investment Products / Due Diligence, 2013 North American Securities Administrators Association (NASAA) Corporation Finance Training, Pittsburg, PA, 11/16/13

It would be a privilege to serve on the Plaintiffs' Executive Committee or in any position deemed appropriate by the Court. I appreciate Your Honor's consideration of this Application.

DATED this 28th day of July, 2014.

Respectfully Submitted,

/s/ Peter J. Mougey

Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 28, 2014, I filed the foregoing document with the Clerk of Court via the CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ Peter J. Mougey

Peter J. Mougey